

Message Text

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ACTION IO-14

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E.O. 11652: N/A
TAGS: SHUM
SUBJECT: EUROPEAN REGIONAL PREPARATORY MEETING FOR THE
SIXTH UN CONGRESS ON THE PREVENTION OF CRIME AND
THE TREATMENT OF OFFENDERS

1. THE INTERNATIONAL COMMISSION OF JURISTS (ICJ)
FORWARDED THE FOLLOWING LETTER TO THE MISSION REGARDING
SUBJECT CONFERENCE:

QUOTE

A. THE INTERNATIONAL COMMISSION OF JURISTS WILL BE
REPRESENTED AT THE ABOVE MEETING IN BONN, 10-14 OCTOBER,
BY A MEMBER OF MY STAFF, MR. HANS THOOLEN.

B. IT WILL BE OUR INTENTION TO SUGGEST TO THE MEETING
THAT THE QUESTION OF THE PREVENTION OF TORTURE SHOULD
BE DISCUSSED IN SYDNEY UNDER TOPIC III OF THE PROVISIONAL
AGENDA OF THE SIXTH UN CONGRESS, NAMELY "CRIMINALITY
THROUGH ABUSE OF POWER".

C. WE APPRECIATE THAT SOME WILL WISH TO RAISE THE ISSUE
OF TORTURE UNDER TOPIC V - "UN NORMS AND GUIDELINES IN
CRIMINAL JUSTICE: FROM STANDARD SETTING TO IMPLEMENTATION".

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IT WILL, OF COURSE, BE VERY RELEVANT UNDER THIS ITEM,
SINCE IMPORTANT SAFEGUARDS AGAINST TORTURE CAN AND
SHOULD BE WRITTEN INTO THE PROCEDURES OF THE CRIMINAL
JUSTICE SYSTEM.

D. HOWEVER, EXPERIENCE SEEMS TO INDICATE THAT IN THOSE
COUNTRIES WHERE A SYSTEMATIC PRACTICE OF TORTURE HAS BEEN

LARGELY OR COMPLETELY ERADICATED, THIS HAS BEEN THE RESULT OF A GOVERNMENTAL DECISION AT A HIGH LEVEL, BACKED UP BY STRICT ADMINISTRATIVE ENFORCEMENT MEASURES WITHIN THE CIVILIAN AND MILITARY SECURITY FORCES. TORTURE IS PAR EXCELLENCE A CASE OF 'CRIMINALITY THROUGH ABUSE OF POWER', AND IT SEEMS TO US THAT IT WOULD BE OF GREAT ASSISTANCE IN THE CAMPAIGN AGAINST TORTURE IF IT COULD BE RECOGNISED AS SUCH, AND IF THERE COULD BE A DISCUSSION AT THE SIXTH UN CONGRESS UNDER THIS HEADING ON THE APPROPRIATE MEASURES FOR ITS PREVENTION.

E. WE HOPE THAT YOUR DELEGATION WILL BE ABLE TO SUPPORT THIS PROPOSAL. YOURS SINCERELY, NIALL MACDERMOT, SECRETARY-GENERAL. UNQUOTE

2. DEPARTMENT COMMENTS AND RECOMMENDATIONS ARE REQUESTED ON THE ABOVE PROPOSAL. IF THE DEPARTMENT WISHES SUCH U.S. VIEWS CAN BE PASSED TO THE MEETING THROUGH THE AUSTRALIAN DELEGATE OR THE ICJ.SORENSEN

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